

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA, *ex rel.*
MACKINAC CENTER FOR PUBLIC
POLICY,

Plaintiff,

v.

MICHIGAN EDUCATION
ASSOCIATION, et al.,

Defendants.

Case No. 1:22-cv-00028

Hon. Hala Y. Jarbou
United States District Judge

STIPULATION OF DISMISSAL

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) and the False Claims Act, 31 U.S.C. § 3730(b)(1), the United States of America and Relator Mackinac Center for Public Policy (collectively, the “Plaintiff Parties”) stipulate as follows:

- The United States stipulates to the dismissal of Defendants Michigan Education Association and Michigan Education Special Services Association (collectively, the “Defendants”) with prejudice as to the United States, subject to the terms of the parties’ settlement agreements attached hereto as Exhibit A and Exhibit B (collectively the “Settlement Agreements”). The stipulation of dismissal is without prejudice as to the United States as to any conduct other than the Covered Conduct as that term is defined in the Settlement Agreements (the “Covered Conduct”).
- Subject to the terms of the Settlement Agreements, Relator stipulates to the dismissal of this action against Defendants, with prejudice. This Stipulation does not dismiss Relator’s claim for statutory attorneys’ fees and costs as set forth in the Settlement Agreements.

In support of this stipulation, the Plaintiff Parties state as follows:

To resolve the claims asserted against Defendants in this action, the parties have executed the Settlement Agreements. Subject to the terms of those Settlement Agreements, the United States stipulates to the dismissal of Defendants with prejudice as to the United States. The dismissal of Defendants, however, shall be without prejudice to the United States for any conduct other than the Covered Conduct.

Subject to the terms of the Settlement Agreements—including payment of attorneys' fees and costs as set forth in the Settlement Agreements—Relator stipulates to the dismissal of this action against Defendants, with prejudice. This Stipulation does not dismiss Relator's claims for statutory attorneys' fees and costs as set forth in the Settlement Agreements.

The United States and Relator are entitled to dismiss this action at this time under the provisions of Federal Rule of Civil Procedure 41(a)(1)(A)(i). The Court retains jurisdiction to enforce the terms of the Settlement Agreements.

Respectfully submitted:

/s Andrew J. Hull

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Dated: March 9, 2023

/s James R. Peterson (with permission)

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Dated: March 9, 2023